

# MORGAN & FINNEGAN, L.L.P.

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## OFFICIAL FAX COVER SHEET

FAX RECEIVED  
 MAR 04 2003  
 GROUP 1700

<b>TO:</b> Ms. Veronica Agburn	<b>COMPANY:</b> PTO, Petition	<b>FAX:</b> (703) 305-5436	<b>PHONE:</b> (703) 308-2934
<b>FROM:</b> Jingni Xie for Keats A. Quinalty	<b>COMPANY:</b> Morgan & Finnegan	<b>FAX:</b> (202) 857-7929	<b>PHONE:</b> (202) 857-7887
<b>DATE:</b> March 3, 2003	<b>CLIENT/MATTER:</b> 1232-4421US1	<b>PAGES</b> (INCLUDING COVER): 1 5	<b>CONFIRM:</b> Yes

### COMMENTS:

RE: U.S. Serial No. 09/664,715

Dear Ms. Agburn:

Per your request, I am enclosing a copy of a Petition Under 37 CFR 1.181 Requesting Withdrawal of Notice of Abandonment filed on June 4, 2002, a postcard receipt showing the date of the filing, and a copy of RCE filed on April 1, 2002, and a copy of a postcard showing the filing of the RCE.

Please feel free to contact us if you have any questions or need further information.

THE DOCUMENT(S) ACCOMPANYING THIS FACSIMILE TRANSMISSION CONTAINS INFORMATION FROM THE LAW FIRM OF MORGAN & FINNEGAN, L.L.P. WHICH IS CONFIDENTIAL AND/OR LEGALLY PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMISSION SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS FACSIMILE INFORMATION IS STRICTLY PROHIBITED, AND THE DOCUMENT(S) SHOULD BE RETURNED TO THIS FIRM IMMEDIATELY. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE CAN ARRANGE FOR THE RETURN OF THE ORIGINAL DOCUMENTS AT NO COST TO YOU.

PATENT

Attorney's Docket No. 1232-4421US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: UEHARA et al.

Group Art Unit: 1765

Serial No.: 09/664,715

Examiner: Kin Chan Chen

Filed : September 19, 2000

For : WAFER PROCESSING APPARATUS, WAFER PROCESSING METHOD, AND  
SEMICONDUCTOR SUBSTRATE FABRICATION METHOD

GROUPE 1700

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PETITION UNDER 37 CFR §1.181  
REQUESTING WITHDRAWAL OF NOTICE OF ABANDONMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby petition the Commissioner to withdraw the holding of abandonment in the above-identified application. The USPTO mailed a Notice of Abandonment on May 20, 2002 alleging that applicants failed to timely pay the issue fee.

Applicants respectfully request that the holding of abandonment be withdrawn as it is improper in view of the fact that Applicants timely filed a Request for Continued Examination (RCE) before the due date of the issue fee payment for the application. The due date for the issue fee payment was set to expire on April 9, 2002, Applicants filed the RCE on April 1, 2002, along with the requisite filing fees and other necessary documents. Applicants' timely filing of the RCE is clearly evidenced in the enclosed copies of a postcard receipt bearing a filing date stamp of April 1, 2002 and RCE Transmittal.

In view of the above, the Notice of Abandonment is improper and should be withdrawn.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

By:

Keats A. Quinalty

Registration No. 46,426

(202) 857-7887 Telephone

(202) 857-7929 Facsimile

Date: June 3, 2002

CORRESPONDENCE ADDRESS

MORGAN &amp; FINNEGAN, L.L.P.

345 Park Avenue

New York, New York 10154-0053

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 GROUP 1700

### MORGAN & FINNEGAN, LLP

Tel. No. (202)857-7887 / Fax No. (202)857-7929

Serial No. 09/664,715	Docket No. 1232-4421US1
Applicant: UEHARA et al.	Atty.: KAQ/jx
Filing Date. 9/19/2000	Due Date: n/a

The following was/ were received in the U.S. Patent and Trademark Office on the date of June 4, 2002, stamped hereon:

<input checked="" type="checkbox"/>	Penion Under 37 CFR 1.181 Requesting Withdrawal of Notice of Abandonment	<input checked="" type="checkbox"/>	Information Disclosure Statement
<input checked="" type="checkbox"/>	A copy of the postcard receipt and RCE Transmittal	<input checked="" type="checkbox"/>	PTO 499 form & copy of cited reference
<input type="checkbox"/>	Checks for \$	<input type="checkbox"/>	Request Form for Filing of an IDS.
<input type="checkbox"/>	Response to Missing Parts	<input type="checkbox"/>	
<input type="checkbox"/>	Executed Declaration and POA	<input type="checkbox"/>	CPA Transmittal
<input type="checkbox"/>	Priority Document(s) ( )	<input type="checkbox"/>	Preliminary Amendment
<input type="checkbox"/>	Assignment(s) & Cover Sheet	<input type="checkbox"/>	Fee Address Indication Form
<input type="checkbox"/>	Req. to Approve Drawing Changes	<input type="checkbox"/>	Deposit Account Authorization

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3/27/03

[AFFIX CUSTOMER NUMBER LABEL ABOVE]

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application No.	09/664,715
Filing Date	September 19, 2000
First Named Inventor	UEHARA et al.
Group Art Unit	1475
Examiner Name	Kin Chan Chen
Atty Docket No.	1232-4421US1

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**NOTE:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission under 37 C.F.R. §1.114

- a. ☐ Previously submitted
- i. ☐ Consider and enter the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_ as a preliminary Amendment.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS) and Form PTO-1449
- iv. ☐ Other:

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months, Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other

## 3. Fees

The RCE fee under C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4503, Order No. 1232-4421US1.
- i. ☒ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Two Checks in the amount of \$740.00 & 168.00 enclosed.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Keats A. Quinalty	Reg. No. (Atty/Agent)	46,426
Signature		Date	April 1, 2002

# **MORGAN & FINNEGAN, LLP**

Tel. No. (202) 857-7887 / Fax No. (202) 857-7929

Serial No.	09/664,715	Docket No.	1232-4421851 App
Applicant:	UEHARA et al.	Att'y:	KAQ/jx
Filing Date:	9/19/2000	Due Date:	4/9/2002

The following was/ were received in the U.S. Patent and Trademark Office on the date of April 1, 2002, stamped hereon:

<input checked="" type="checkbox"/> Request for Continued Examination (RCE) Transmittal	<input type="checkbox"/> Information Disclosure Statement
<input checked="" type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> PTO-1499 form & 1 copy of cited reference and the foreign Office Action.
<input checked="" type="checkbox"/> Two Checks for \$740.00 & \$168.00	<input type="checkbox"/> Request Form for Filing of an IDS.
<input type="checkbox"/> Response to Missing Parts	<input type="checkbox"/> CPA Transmittal
<input type="checkbox"/> Executed Declaration and POA	<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Priority Document(s) ( )	<input type="checkbox"/> Fee Address Indication Form
<input type="checkbox"/> Assignment(s) & Cover Sheet	<input type="checkbox"/> Deposit Account Authorization
<input type="checkbox"/> Req. to Approve Drawing Changes	<input checked="" type="checkbox"/>

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